

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PAT'S MARINE ENGINES, INC.,

Plaintiff(s),

V.

WHITECAP, Official No. 1041109, her Engines,
Machinery, Appurtenances, etc., *In Rem*,

Defendant(s),

and

BATOR SEKENDUR, *In Personam*,

Defendant/Counter-claimant.

NO. C08-1401MJP

ORDER ON MOTION FOR EXTENSION

The above-entitled Court, having received and reviewed Defendant Batur Sekendur's Motion for Extension (Dkt. No. 31), Supplement to Motion for Extension (Dkt. No. 38), and all attached exhibits and declarations, makes the following ruling:

IT IS ORDERED that the motion is DENIED.

Discussion

Defendant/Counterclaimant Sekendur moves for “an extension of the court’s schedule for 90 days (including discovery).” Mtn., p. 1.

Defendant Sekendur has already been held to lack standing to assert any claim in the subject vessel (Order on Motion for Partial Summary Judgment, Dkt. No. 31). On the basis of that ruling, Plaintiff has moved to dismiss Sekendur from the litigation (Dkt. No. 33), a motion which the Court intends to grant.

Defendant Sekendur continues to attempt to assert the claims of the rightful owner of the vessel, his mother M. Sekendur. Claimant McCandliss has provided proof that M. Sekendur was served with the motion for default judgment (Dkt. No. 15, p. 12) and the record reflects that she has not answered or appeared in response to that notice. B. Sekendur may not assert her claims in her absence.

Defendant Sekendur's involvement in this litigation is at end, and no further extensions of time will be granted.

The clerk is directed to provide copies of this order to all counsel of record.

Dated: April 7, 2009

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Marsha J. Pechman
U.S. District Judge